

May 9, 2022
San Benito, Texas

The regular meeting of the Board of Directors of Cameron County Drainage District No. 3 convened on May 9, 2022, at 2:00 p.m. at the office of the District pursuant to notice duly given as required by law. Present were Ronaldo Garcia and Matthew McCarthy, Directors; Sonia Lambert, Manager; Freddie Ortega, Drain Supervisor; Jack Brown, Engineer; and B. R. Dossett, Attorney. President Garcia called the meeting to order and presided.

1. Minutes.
 - 1.1 April 11, 2022 Meeting. The Minutes of the April 11, 2022 meeting were presented and reviewed. The motion was made and seconded to approve the Minutes of the April 11, 2022 meeting. Following a discussion, the motion carried.
 - 1.2 May 3, 2022 Meeting. The Minutes of the May 3, 2022 joint meeting with Cameron County Irrigation District No. 2 were presented and reviewed. The motion was made and seconded to approve the Minutes of the May 3, 2022 joint meeting. Following a discussion, the motion carried.
2. Public Comment Period. No one appeared. No written comments were received.
3. Subdivisions.
 - 3.1 Petunia Acres Subdivision–Rios Surveying Company, LLC, being 2.0 acres out of Block 129, Espiritu Santo Irrigated Land Company Subdivision. Plat not presented. No action.
 - 3.2 Del Rio Subdivision Phases VI-VII–Moore Land Surveying, LLC, being 22.4 acres out of Blocks C & D, James Dickinson Subdivision. Plat not presented. No action.
 - 3.3 Vista Real Estate Subdivision–Rios Surveying Company, LLC, being 5.0 acres out of Block 157, San Benito Land & Water Company Subdivision. Plat not presented. No action.
 - 3.4 Titan Ranch Subdivision–Rios Surveying Company, LLC, being 7.35 acres out of Block 90, San Benito Irrigation Company Subdivision. Plat not presented. No action.
 - 3.5 East Treasure Haven Subdivision, being 14.64 acres out of Block 146, San Benito Land & Water Company Subdivision. Owner: Ace Valley Development, LLC; Engineer: Brown, Leal & Associates. Final plat presented. The motion was made and seconded that the plat of East Treasure Haven Subdivision be approved. Following a discussion, the motion unanimously carried, and President Garcia signed the plat.
 - 3.6 Montenegro Estates Subdivision–Mejia & Rose (9.4 acres out of Block 7, Landrum Reserve). The subdivision is adjacent to, and will discharge into, Main Drain A. Plat not presented. No action.
 - 3.7 Paso Real Coves Subdivision–Melden & Hunt (66.902 acres Lots 1-8, Block 146, SBLW&Co). This subdivision received preliminary approval at the April 11, 2022 meeting. Final plat not presented. No action.
 - 3.8 Alvarado Estates Subdivision–Altex Engineering, being 2.77 acres out of Block 153, San Benito Land & Water Company Subdivision. Plat not presented. No action.
 - 3.9 B77 Subdivision–Rio Delta Engineering, being 5.29 acres out of Blocks 129 and 126, San Benito Land & Water Company Subdivision. Plat not presented. No action.
4. Blocks 209 and 215, San Benito Land & Water Co.: Cameron County Irrigation District No.

- 2 Conveyance of Seep Ditch to Drainage District. A draft of the survey has been received and reviewed. In order to prepare the conveyancing documents, the location of the underground pipeline needs to be determined. The Drain Supervisor will attempt to locate the pipeline with a probe, but will use an excavator to expose the pipeline if necessary.
5. Russell Main Drain: Private Road Crossing in Block 4, Parker Tract Subdivision Owned by Porfirio and Nicanor Vasquez and Respective Spouses. The District has received no communication from the owners since the last meeting. No action.
6. Projects.
- 6.1 East Line Relief Drain Project. Due to a wind farm having constructed an electric transmission line that conflicts with the original proposed alignment of the drain, the strip needed by the District will be moved to the west. Engineer Brown noted that the District will need a 200 foot strip unless the landowner will take the excavated soil.
- 6.2 Drain B-2: Upgrade of Pennsylvania Boulevard Crossing. Engineer Brown is researching the feasibility of adjusting the location of the crossing. The obstacle is the gravity sewer line constructed in the District's right-of-way by the City of San Benito without the District's permission or approval—the centerline of the sewer pipeline is more or less at the centerline of the culverts.
- 6.3 Drain B-2: Upgrade of Road Crossing Downstream of Pennsylvania Boulevard Crossing. Engineer Brown advised that the culvert at McCulloch Street is 72 inches in diameter, but culverts at the Yost Street crossing and the Jay Street crossing are 60 inches in diameter; the Yost and Jay Street crossings need to be upgraded also.
7. Agreements/Rights-of-Way/Permits/Interlocal Cooperation Contracts.
- 7.1 Drain 383: Request of Ciro and Ronda Garza for Road Crossing. Not finalized.
- 7.2 Liberty Estates Phase II, Being 10.64 Acres Out of Blocks 5, 6, 12, Cunningham's Subdivision of Block 35, SBL&WCo.
- (a) Conveyance of Seep Ditch on North Side of Lateral A to Drainage District—Status Report. No change in status.
 - (b) Upgrade of Underdrains—Status Report. No change in status.
 - (c) Upgrade of Road Crossings Downstream of Phases I & II. Discussed under Agenda Item 6.
- 7.3 Browne Drain No. 3: Request that License Agreement be Issued to Magic Valley Electric Cooperative for Aerial Electric Service Line for Blanca Flores, Block 291, SBIC. No change in status. Still waiting on return of signed license agreement.
- 7.4 Russell Main Drain in Share 14, Espiritu Santo Grant: Request for East Rio Hondo Water Supply Corp. for Potable Waterline Crossings. No change in status. Still waiting on return of signed license agreement.
- 7.5 Los Indios #2 Drain in Block 48, Los Indios Irrigated Land Co. Subdivision: Request of United States of America for Potable Water Line Crossing for FMSCA Inspection Facility Upgrade. No communication has been received since the last meeting. No change in status since the last meeting.
- 7.6 Arroyo Gardens #1 Drain in Block 175 & 176, Monte Grande Subdivision Unit 2: Request of Fortuanato Castaneda and Isabel Castaneda for Road Crossing. No change in status. Still waiting on return of signed license agreement.
- 7.7 Drain U in Block 145, SBL&WCo.: Request for Down Drain License for Paso Real Coves Subdivision [Pertains to Agenda Item 3.7]. Revised plans not submitted.
- 7.8 Fresno D-1 West Drain in Blocks 5 & 6, Parker Tract: Request of AEP for Aerial

Electric Line Crossing. There is an existing aerial line on the west side of, adjacent and parallel to F.M. 803/Olmito North Road. AEP is going to increase the size of the wire and replace the poles. AEP's predecessor, CP&L, failed to obtain permission of the District to construct the crossing. A pole is too close to the drain, and there is less than 40 feet clearance. AEP is willing to raise the wire to comply with the District's 40 foot clearance requirement, and put its poles no closer than 25 feet to the edge of the drain channel. The motion was made and seconded that a license agreement be issued to AEP for a crossing requiring no less than 40 feet clearance and poles no closer than 25 feet to the edge of the drain channel. Following a discussion, the motion carried.

8. Grants: TWDB #40023 Flood Protection/Infrastructure Study–Hydrologic and Hydraulic Model Update. It is too soon to receive a response to the application submitted to the County for \$408,150.00 out of the ARPA funds. It was noted that since the District includes the part of the City of Harlingen south of the Arroyo Colorado and east of Ed Carey Drive, the City of Harlingen and the District need to enter into an agreement not to duplicate work in the overlapping area.
9. Donations: Drains in Territory North of Arroyo Gardens (Shares 12 and 22, Espiritu Santo Grant). Rios Surveying has commenced the survey work.
10. Audit of Fiscal Year ended September 30, 2021. No change in status. The audit has not commenced.
11. Rules Revision. No change in status. The Manager has not completed her review of the proposed rules.
12. Reports.
 - 12.1 Financial.
 - (a) Financial Report for Month of April 2022. Presented and reviewed.
 - (b) Financial Report for Fiscal Year through April 30, 2022. Presented and reviewed.
 - 12.2 Manager. All matters discussed under Agenda items.
 - 12.3 Attorney.
 - (a) *Cameron County Drainage District No. 3 and Cameron County Irrigation District No. 2, et al. vs. City of San Benito.* No change in status.
 - (b) Mandatory Annual Cyber Security Training. Recommended that the training be conducted at the June 2022 Board meeting.
 - 12.4 Engineer. All matters discussed under Agenda items.
 - 12.5 Drain Supervisor.
 - (a) Written report of work accomplished in the month of April 2022 presented.
 - (b) Equipment. The two brush cutters purchased at the November 8, 2021 meeting [Agenda Item 5] still not delivered due to supply chain problems the Country has been experiencing.
 - 12.6 City of San Benito. No one appeared on behalf of the City.
13. Payment of Accounts, Wages, and Directors' Services.
 - 13.1 The motion was made and seconded that issuance of the following checks issued between the April 11, 2022 meeting and this meeting be ratified:

13829 : Texas Child Support SDU	Employee Wage Withholding-Child Support	\$422.77
13830 : Sonia Lambert	TWCA Meeting	\$307.50
13831 : Lone Star Glass & Mirror	Unit 60 Repair	\$255.00
13832 : VOID		-0-

13833 : Texas Child Support SDU	Employee Wage Withholding-Child Support	<u>\$422.77</u>
TOTAL		\$1,408.04

Following a discussion, the motion carried.

13.2 The motion was made and seconded that the following checks be issued:

13834 : Advance Professional	Machine Repairs	\$57.40
13835 : AFLAC	Health Insurance	\$298.44
13836 : Allstate Insurance Co.	Insurance	\$74.67
13837 : AguaWorks Pipe & Supply	Drain Repairs	\$3,212.00
13838 : AT&T Mobility	Wireless Phone	\$156.75
13839 : Blue Cross & Blue Shield	Health Insurance	\$15,864.42
13840 : Cameron County Irrigation Dist. #2	Reimbursement	\$26,028.60
13841 : Dainamik	GPS Monitoring	\$2,030.00
13842 : East Rio Hondo Water Supply Corp.	Office/Shop/Warehouse: Water Bill	\$73.16
13843 : Firestone	Auto Repair	\$401.40
13844 : First Community Bank	Petty Cash	\$479.09
13845 : Gigabit Communications	Uverse/Internet	\$200.00
13846 : Grajales Tire Shop	Flat Repairs	\$7.00
13847 : H & V Equipment	Machine Repairs	\$8,112.47
13848 : Hollon Oil Company	Hydraulic Oil	\$1,050.23
13849 : Holt Co. Of Texas	Machine Repairs	\$1,383.90
13850 : J & M Hydraulics	Machine Repairs	\$527.84
13851 : John Deere Financial	Machine Repairs	\$1,110.21
13852 : J & J Tire & Auto	Auto Repairs	\$69.00
13853 : Sonia Lambert	Phone Allowance	\$125.00
13854 : Lincoln National Life	Life Insurance	\$236.16
13855 : Luis Coronado	Welding Repairs	\$600.00
13856 : Matt's Cash & Carry	Other Repairs	\$78.93
13857 : McCoy's	Drain Repairs	\$131.11
13858 : O'Reilly Auto Parts	Machine Repairs	\$1,430.88
13859 : Ortega, Federico	Phone Allowance	\$82.89
13860 : Rey's Tire Service	Flat Repairs	\$370.00
13861 : Nelda Solorio	Janitorial	\$220.52
13862 : Triple S Steel	Safety Supplies	\$266.13
13863 : Lucinda Trevino	Janitorial	\$586.12
13864 : Tractor Supply	Tools	\$71.95
13865 : UniFirst	Uniforms	\$522.44
13866 : Wilcac Life Insurance	Insurance	\$21.67
13867 : Wylie Case	Machine Repairs	\$1,780.04
13868 : David Ybarra	Janitorial	\$265.52
13869 : Dossett Law Office	Legal Fees	<u>\$3,155.00</u>
TOTAL		\$71,080.94

Following a discussion, the motion carried.

14. Board of Directors–Fill Vacancy on Board of Directors. No Discussion. No action.
15. Personnel–Manager: Deliberate Appointment, Employment, and Duties of Joint Assistant/Trainee Manager to Succeed Current Manager Upon Her Retirement.
 - 15.1 Manager Lambert sent an email to the successful applicant requesting he contact her. She has not yet received a response.
 - 15.2 The motion was made and seconded that the Drainage District's share of the Manager's salary be increased to \$90,000.00 per year effective the next pay period. Following a discussion, the motion carried.
16. May 7, 2022 Election. Since the Texas Attorney General's opinion is that unopposed candidates cannot take the oath of office until after the election, candidates Garcia and McCarthy submitted their Oath (duplicate originals), Statement, and final campaign finance reports. The Directors' bond renewals have been received. Attorney Dossett will submit an original Oath and a copy of the Bond to the Texas Secretary of State as required.
17. Adjournment. There being no further business, the meeting was adjourned.